



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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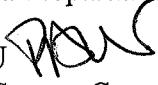
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County Counsel

July 25, 2012

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TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: PATRICK A. WU 
Senior Assistant County Counsel

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Rosa Rojas v. County of Los Angeles
Los Angeles Superior Court Case No. BC 475 357

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

PAW:rfm

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Rosa Rojas v. County of Los Angeles, Los Angeles Superior Court Case No. BC 475 357, in the amount of \$250,000 plus assumption of the Medi-Cal lien, if any, and waiver of the County's hospital bill in the estimated amount of \$9,660 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Health Services' budget.

This medical malpractice lawsuit arises from treatment received by a patient while hospitalized at LAC+USC Medical Center.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Rosa Rojas v. County of Los Angeles
CASE NUMBER	BC 475357
COURT	Los Angeles Superior Court - Central District
DATE FILED	December 15, 2011
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$250,000, plus assumption of the Medi-Cal lien if any, and waiver of the hospital bill in the estimated amount of \$9,660.
ATTORNEY FOR PLAINTIFF	Levik Yarian, Esq. Yarian & Patatanyan, LLP
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Senior Deputy County Counsel
NATURE OF CASE	<p>Rosa Rojas underwent a biopsy at LAC+USC Medical Center. Due to a contamination of the pathology slides, an incorrect diagnosis was made.</p> <p>Based on such diagnosis, the patient underwent an unnecessary surgery.</p> <p>Rosa Rojas brought a medical malpractice lawsuit against the County of Los Angeles alleging that the diagnosis in her case was done negligently which led to an unnecessary surgery.</p>
PAID ATTORNEY FEES, TO DATE	None
PAID COSTS, TO DATE	\$241

Case Name: Rojas, Rosa # 3716



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	July 19, 2011
Briefly provide a description of the incident/event:	Rosa Elena Rojas underwent a biopsy at LAC+USC Medical Center. Due to contamination of the pathology slides, an incorrect diagnosis was made. Based on such diagnosis, the patient underwent an unnecessary surgery. Rosa Elena Rojas brought a medical malpractice lawsuit against the County of Los Angeles alleging that the diagnosis in her case was done negligently which led to her unnecessary surgery.

1. Briefly describe the root cause(s) of the claim/lawsuit:

Unnecessary surgery resulting from inaccurate biopsy results.

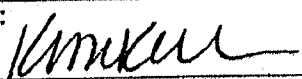
2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

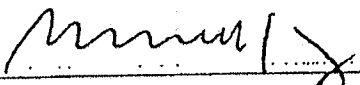
- A survey of DHS facilities was conducted to determine the processes for handling biopsy specimens. All of the DHS facilities reported they do not re-use opened, but unused specimen containers.
- Improved processes for handling biopsy specimens were evaluated by those DHS facilities that manage pathology specimens. These improved processes were shared with the DHS Chief Medical Officer in May of 2012 and are in the process of being implemented.

3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management for assistance)

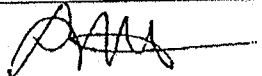
- ☐ Potentially has County-wide implications.
- ☐ Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- X Does not appear to have County-wide or other department implications.

County of Los Angeles
Summary Corrective Action Plan

Name: (Risk Management Coordinator)	
Signature: 	Date: 6/18/12

Name: (Department Head) Mitchell Katz, MB	
Signature: 	Date: 6/18/12

Chief Executive Office Risk Management

Name: LEO BOSTANTINO	
Signature: 	Date: 6/13/12